IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8484 OF 2005
WITH
CIVIL APPLICATION NO. 3003 OF 2006

Vilas Jagannath Kadam ..Petitioner

versus

Shivaji J. Kadam & Ors. ..Respondents

Mr. V. Y. Jadhav for the Petitioner.

Ms. Smita Mane i/b. V. Salunkhe for the Respondents.

CORAM : D. G. DESHPANDE, J.

DATE : 31ST JANUARY, 2007

P.C. :

1. Heard Advocate for the Petitioner and the Respondents.

2. This petition is filed by the petitioner - original defendant No.3, challenging the Order of the II Ad-hoc Addl. District Judge, Satara dated 16.11.2005 rejecting his application for condonation of delay of three and half months in filing the Appeal. According to the petitioner he has given satisfactory explanation of the delay.

3. In civil application No. 3003 of 2006 he has filed certificate issued by the doctor to the effect that he was suffering from Hepatitis. When confronted with his application for condonation of delay filed before the Appellate Court, the Advocate for the petitioner had to agree that the fact that he was filing such a certificate before the Appellate Court is not at all mentioned anywhere in his application for condonation of delay. It is clear that story of suffering from Hepatitis is an after thought. The document is fabricated or prepared to suit his purpose in this Writ Petition. The Appellate Court has rightly rejected the application for condonation of delay. No interference is called for. Petition dismissed with Civil Application.

(D.G. DESHPANDE, J.)